

FILED  
08 AUG 20 PM 12:51  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-1119

OPENING BRIEF  
G 576544

United States District Court  
Northern District of California  
450 Golden Gate Avenue  
San Francisco, California 94102

Case: 08 CV 3323

Case: 08 CV 3324

TEH

Hilton Lawrence Brown  
No# B51265 (S)  
5905 Lake Earl Drive  
Crescent City California 95532  
Appellant and Plaintiff

versus

Governor Arnold Schwarzenegger  
1 First Street, Capitol Mall  
Sacramento, California 95814  
additional

Pelican Bay State Institution  
Warden: Robert A. Horel  
5905 Lake Earl Drive  
Crescent City California 95531  
additional

American Medical Association  
515 North State Street  
Chicago, Illinois 60610

additional  
Department of the Army  
7th Infantry Division Light  
Judge Advocate General  
Fort Ord California 93941  
Real Parties of Interest

Judge: Henderson  
450 Golden Gate Avenue  
San Francisco, CA 94102

Hilton Lawrence Brown  
355 Business Lane

Points and Authority  
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- 1 Interrogatory Question . . . . . !
- 2 2 Am J2d Discovery Administrative section 140 . . . . . !
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- 5 Cde Disapproved Medical Chronic and Denied Law Library . . . . . !

4 Exhibit G

- 7 small claims suite form(s)
- 8 Title 42 U.S.C. section 1983 form(s)

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1 Reversal by order of this court is necessary. To serve the Notice  
 2 of Deficiency assessment for income revealed by the Jury Trial,  
 3 finding Atascadero State Hospital Guilty on all charges. In violation  
 4 of the California Department of Corrections Code Title 15 section (s)  
 5 3367 and 3368, Psychosurgery and Aversive Therapy in which their  
 6 license was suspended for the Illegal Electro Convulsive Therapy  
 7 and Brain surgery with Assault and Battery. wherein the Jury trial  
 8 found the Hospital Guilty as charged. 34 Am J2d federal Tax rule  
 9 9042 and 9125 the Administrative Law Judge for Social Security  
 10 Disability in Virginia ruled. That the State Hospital in Atascadero  
 11 California could receive payment from the Social Security Account  
 12 of AT02 31 35-7 paid from Social Security number #547 80 1876  
 13 and then closed the account after all the funds were gone. Debt  
 14 Number #4199804003245101 for Social Security Account #176 30 9592  
 15 the United States Department of Education are all the same person,  
 16 for the college fees and cost for Inheritance Tax with held. They  
 17 are to include service number #U.S. 056 723 112 before the  
 18 Department of the Army.

19 The decision of the court was in Error and reversible error is  
 20 necessary for the Interest of Justice. The false arrest and the  
 21 Unlawful detention 22 Am J2d false Imprisonment section 1  
 22 and 2., Certiorari denied 479 U.S. 825 (1986) U.S. vs Gambino 788  
 23 f2d 938 (3rd cir) Medical Mal Practice and the use of Fraud  
 24 Federal Rule of Civil Procedure rule 60 (b) before the Local Judiciary  
 25 Hilton Lawrence Brown vs Arnold Schwarzenegger, Governor of  
 26 the State of California case #08-2157 Del Norte California and  
 27 Hilton Lawrence Brown vs Robert A. Horel, warden at Pelican Bay  
 28 State Institution case #08-5082 Del Norte California



1 on the 16<sup>th</sup> Wednesday of January 2008, while at work in the Main  
 2 Kitchen. Brown, Hilton Lawrence was thrown to the Ground and received  
 3 a Dislocated broke small finger on his Left hand. Pursuant to Great  
 4 bodily harm and the threat with the Assault and Battery by another  
 5 inmate. Initial request was to process this Title 28 U.S.C. section  
 6 1915(b). In Court as the procedure to ensure a hearing on the  
 7 merits of this case In forma Pauperis Affidavit by order of  
 8 the Court.

9 The accused did not have the Administrative Hearing as set forth  
 10 in the Lanterman - Petris - short Act prior to the use of Electro  
 11 Convulsive Therapy treatments. At that time when Social Security  
 12 taxable income was used by Atascadero State Hospital, fraud  
 13 was concealed by the Administrative Law Judge as a fraud.  
 14 Brown, Hilton Lawrence was taken to trial and given Valium  
 15 a drug to counter act initial effect from the Illegal Electro  
 16 Convulsive Therapy treatments. The response from the Internal  
 17 Revenue Service on a 1040 Tax form which list income as  
 18 Taxable Liability for any Hospital cost and payments for a Tax  
 19 return. Did not receive a hearing and summary on the Merits. Income  
 20 paid out for the hospital cost. This was not grounds To file for  
 21 over payment and a Notice of Deficiency served. Because of  
 22 the criminal charges not being process by the Social Security  
 23 Administration as a crime.

24 The District Attorney of Los Angeles County would not produce  
 25 the work history of the Two Juveniles. That were shot to death.  
 26 Then with held the coroner Inquest from showing the use of drug  
 27 at the time of death. One Victim was 15 fifteen years old  
 28 the other victim was 16 sixteen years old.

1 the Victims were taken to a funeral home then to the corners. Both  
 2 were working as security Guards with a gun and holster at the  
 3 time of death. Did Internal Revenue Service use Good Legal  
 4 Judgment by not filing a violation from the income tax returns.  
 5 Received from work done in violation of the Moral standard set  
 6 for a minor Juvenile person working now is under the age of  
 7 18 Eighteen years old.

8 Disqualification of a Judge because of the Conflict of Interest  
 9 subject to the relationship to subpoena the record, 30 A Am J  
 10 Revised Judges section 89. federal Rule of Criminal Procedure rule  
 11 5.1 (a) (b) (c) Title 18 U.S.C. section 3060 (a) 1988 to determine  
 12 Probable cause to bind the accused for trial at the Preliminary  
 13 Hearing. When the state court does not use a federal Magistrate  
 14 Judge to summon the Medical Transcript f.R.C.P. rule 5(a) Local  
 15 Judicial officer such as Social Security Administrative Law Judges  
 16 are used pursuant to title 18 U.S.C. section 3041

17 Incident Report on the 23<sup>rd</sup> Wednesday of February 2000  
 18 during a riot, Brown, Hilton Lawrence was stabbed and cut. He  
 19 received stitches under the Left rib cage and under the Left  
 20 Jaw. At Pelican Bay state Infirmary which is not a license.  
 21 Did not Practice as a hospital and the Patient had a right to  
 22 receive stitches. At the hospital in Eureka or Crescent City  
 23 California. Due to the Emergency care doctors and nurses  
 24 from out of state. In Oregon were called in to treat the  
 25 Victims. There were over a Hundred inmates stabbed and cut.  
 26 one was shot to death. While two more were brought back  
 27 to life after being shot to death at a hospital outside of  
 28 Pelican Bay State Institution

1 In 1971 Gladys Towel Ruth allowed Atascadero State Hospital  
 2 to use Electro Convulsive Therapy on her clients. Inmate how  
 3 were waiting to stand trial. In 1973 Brown, Hilton Lawrence  
 4 fired Attorney at Law Gladys Towel Ruth before the start of  
 5 trial. In the Superior Court of Judge: Jack E. Goertzen. He  
 6 refused to remove G.T. Ruth from the case #A274815. The State  
 7 Bar Association of California sent Carol Donovan into court  
 8 for the purpose to remove counsel from the case #A274815,  
 9 But before G.T. Ruth left the court, she found the informant's  
 10 attorney. Attorney at Law Herbert Morton was to be the replacement  
 11 for G.T. Ruth. Conflict of Interest was in 1968 Calvin Chambers  
 12 the informant was in the Fort Ord Stockade Company at the  
 13 Fort Ord Base in California. Attorney at Law hired to represent  
 14 the informant was Herbert Morton. Judge: Jack E. Goertzen  
 15 would not subpoena nor summon the Fort Ord Stockade  
 16 Company for the transcripts  
 17 Brown, Hilton Lawrence lose his rights to Pro Per status or  
 18 representation and the Judge denied a request for access  
 19 to the Law Library. In the Los Angeles County Jail you must  
 20 have a court order for Pro Per status. I wrote to the Chief  
 21 Justice of California and Petition for a writ of Habeas Corpus  
 22 It was granted in Criminal case In Bank Number #76-19191  
 23 But the court appointed counsel refused to file a Brief  
 24 and then sent me a waiver form to fill out. No brief  
 25 at all a waste Hearing and the Grant for Habeas Corpus  
 26 was then dismissed in 1978

27

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1 Brown, Hilton Lawrence is not on a Hunger strike, But can not get  
 2 fed. The Prison Guards refuse to wear a) ball cap and Latex Gloves. Even  
 3 after being given a direct order through a 602 Grievance Appeal.  
 4 That was granted PBSP Log #04-1840 B Facility Building 8, Initial  
 5 regard was that Prison Guard not wearing a ball cap. While serving  
 6 the food. Would wipe the sweat off his or her face and forehead on  
 7 to the back of his or her hand or Latex Glove. A sweat band is in  
 8 the ball cap. I refuse to accept a food tray if the Prison Guards  
 9 are not wearing a ball cap and have not been fed on the following  
 10 days by the named Prison Guards. Today c/o J. Hayes was chewing  
 11 tobacco snuff and sweat on his face and forehead. I refused to  
 12 accept the food tray at the cell door on 6-24-08 at about 6:15 pm

13 No breakfast food tray	6-16-08	c/o Nelson
14 No dinner food tray	6-18-08	c/o J. Hayes
15 No breakfast food tray	6-19-08	c/o Luckfeld
16 No dinner food tray	6-20-08	c/o Cardoza
17 No breakfast food tray	6-22-08	c/o Camarena
18 No dinner food tray	6-22-08	c/o Chisman
19 No breakfast food tray	6-23-08	c/o Olson, c/o Paterson
20 No dinner food tray	6-23-08	c/o Lyon
21 No dinner food tray	6-24-08	c/o J. Hayes
22 No breakfast food tray	6-25-08	c/o Decker
23 No dinner food tray	6-26-08	c/o Schan
24 Vegetarian diet denied c/o A. Paul, c/o Hensley breakfast	6-27-08	
25 No dinner food tray	6-27-08	c/o Morrison
26 No dinner food tray	6-28-08	staff c/o McCavey, c/o Morrison, c/o J. Silva, c/o J. Hayes
27 No breakfast food tray	6-29-08	c/o Peterson
28 No dinner food tray	6-29-08	c/o J. Hayes
29 No dinner food tray	6-30-08	c/o J. Hayes
30 No dinner food tray	7-1-08	c/o Butcher, c/o J. Hayes, c/o Poole
31 No breakfast food tray	7-2-08	c/o Cardoza
32 No breakfast food tray	7-3-08	c/o Cardoza

33

1	No breakfast food tray	on 7-4-08	c/o Cardoza, c/o Decker
2	No breakfast food tray	on 7-7-08	c/o Peterson
3	No dinner food tray	7-7-08	c/o Hurley
4	No breakfast food tray	7-8-08	c/o Cardoza
5	No dinner food tray	7-8-08	c/o J. Hayes
6	No breakfast food tray	on 7-9-08	c/o Cardoza
7	No dinner food tray	7-9-08	c/o Gardner
8	No breakfast food tray	on 7-10-08	c/o J. Mernsen, c/o Straham
9	No dinner food tray	7-10-08	c/o McCovey, c/o Ta fazio
10	No breakfast food tray	on 7-11-08	c/o McCovey, c/o Gutierrez
11	No breakfast food tray	on 7-12-08	c/o Batalowski
12	No dinner food tray	7-12-08	c/o McCovey
13	No dinner food tray	on 7-13-08	c/o D. Willard
14	No breakfast food tray	7-14-08	c/o Straham
15	No breakfast food tray	7-15-08	c/o Axel
16	No breakfast food tray	7-16-08	c/o Axel
17	No dinner food tray	7-16-08	c/o Cardoza
18	No breakfast food tray	7-17-08	c/o Cusack
19	No dinner food tray	on 7-18-08	c/o R. Wilson
20	No breakfast food tray	7-18-08	c/o Daniel
21	No dinner food tray	7-19-08	c/o Axel
22	No breakfast food tray	7-19-08	c/o Buchanan
23	No dinner food tray	on 7-21-08	c/o Chapman, c/o Straham
24	No breakfast food tray	7-21-08	c/o J. Hayes, c/o J. Marks
25	No dinner food tray	7-22-08	c/o Straham
26	No breakfast food tray	7-22-08	c/o Cardoza
27	No dinner food tray	7-23-08	c/o Straham, c/o Yoachman
28	No breakfast food tray	on 7-23-08	c/o Cardoza, c/o Haddad
29	No breakfast food tray	7-24-08	c/o Amis R., c/o Peterson
30	No dinner food tray	on 7-25-08	c/o D. Brown
31	No breakfast food tray	7-25-08	c/o Harrop
32	No dinner food tray	on 7-27-08	c/o Chapman
33	No dinner food tray	7-27-08	c/o Shaw, c/o Crawford
34	No dinner food tray	on 7-28-08	c/o Butcher
35	No breakfast food tray	7-29-08	c/o J. Hayes
36	No dinner food tray	on 7-30-08	c/o Decker
37	No dinner food tray	7-30-08	c/o Decker
38	No dinner food tray	8-1-08	c/o Harrop

1 No dinner food tray  
 2 No breakfast food tray  
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 9 No breakfast food tray  
 10 No dinner food tray  
 11 No breakfast food tray  
 12 No dinner food tray

on 8-2-08 c/o J. Hayes  
 8-6-08 c/o Decker, c/o D. Brown  
 8-6-08 c/o Hillman, c/o Torres, c/o Riley  
 8-7-08 c/o R. Kelley  
 on 8-8-08 c/o Buchanan  
 8-8-08 c/o Burnett, c/o F. Gardner, c/o Haddad  
 8-9-08 c/o Decker, c/o G. Mitola  
 on 8-9-08 c/o G. Mitola  
 8-10-08 c/o Chapman, c/o K.  
 on 8-10-08 c/o Riley, c/o Gutierrez  
 8-11-08 c/o McPherson, c/o Smith  
 8-12-08 c/o Benckert  
 on 8-12-08 c/o Riley  
 8-13-08 c/o Diaz, c/o A.A. Smith  
 8-14-08 c/o Diaz, c/o Gobin

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1 Relief sought title 28 U.S.C. section 1482 (b), Injunction by the  
 2 Habeas corpus and small claim suite by the Grand Jury and the state  
 3 Board of control state of California, To have the sergeant: Wenning  
 4 to answer the 602 appeal to have the staff B.R. Jackson in the  
 5 Law Library to answer the 602 appeal. To have the doorman to  
 6 answer the 602 appeal each is separate and have gone unanswered.  
 7 I cannot prosecute the case because the sergeant: Acosta has not  
 8 answered nor responded to a 602 Grievance Appeal.

9

10 Brown, Hilton Lawrence do solemnly affirm that as an attorney  
 11 (Law student) and as a counselor of this Court. I will conduct my  
 12 self uprightly and according to Law and that I will support  
 13 the Constitution of the United States.

14

15

16 Brown, Hilton Lawrence

17 No# B51265 (S)

18 5905 Lake Earl Drive

19 Post Office Box 7000

20 Crescent City California 95532

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15<sup>th</sup> Friday of August 2008

Hilton Lawrence Brown  
 355 Business Law



United States District Court  
Northern District of California  
450 Golden Gate Avenue  
San Francisco, California 94102

Hilton Lawrence Brown  
No# B51265 (S)  
5905 Lake Earl Drive  
Crescent City California 95532  
Appellant and Plaintiff  
Versus  
Governor: Arnold Schwarzenegger  
1 First Street, Capitol Mall  
Sacramento, California 95814  
additional  
Pelican Bay State Institution  
Warden: Robert A. Hovel  
5905 Lake Earl Drive  
Crescent City California 95531  
additional  
Medical Board of California  
Central Complaint Unit  
2005 Evergreen Street, Suite 1200  
Sacramento California 95815  
additional  
State Board of Control  
Tort Claim Coordinator  
Post Office Box 3035  
Sacramento, California 95812  
Real Parties of Interest

Jurisdictional Statement  
G576544 State Board of Control  
Case# 08CV 3323  
Case# 08CV 3324

1 Preliminary Examination Federal Rule of Criminal Procedure rule  
 2 5(a), Not later than 10 Ten days following the initial appearance  
 3 F.R.C.P. rule 5 (a) according to Title 18 U.S.C. section 3060 (a) 1988  
 4 to determine Probable cause to bind the accused defendant for  
 5 trial on a showing of Good cause F.R.C.P. rule 5.1 hearing. When  
 6 the Magistrate Judge is unavailable F.R.C.P. rule 5 (a), A conflict  
 7 of Interest rule by the Objection at trial reflects counsels actual  
 8 relationship to a party of Interest. 30 A Am J Reved Judges section  
 9 89 Disqualification. When the attorney made it possible for usage  
 10 of false arrest and unlawful detention 22 Am J2d false Imprisonment  
 11 section 1 and 2, Certiorari denied 479 U.S. 825 (1986) U.S. vs Gambino  
 12 788 f2d 938 (3<sup>rd</sup> cir)

13 California Welfare and Institution Code section 5328.1 thru 7. The  
 14 Authorization for Release of Patient Information, California Penal  
 15 Code section 1054. 1 thru 7 Good faith Agreement for Discovery.  
 16 Title 10 U.S.C. section 1552 a Request for the transcript. Before  
 17 The Department of the Army. Which forms the Objection made  
 18 prior to the start of trial. Service of Subpoena, California Code  
 19 of Regulations section 100, Title 1 related appeals Government  
 20 Code section 11346. 2 (d) Register 93 section 36, California  
 21 remittitur for repair of Dislocated broke finger and Electro  
 22 Convulsive Therapy given Inviolatlon, Oil Base Company vs Transport  
 23 Indemnity Company (1956) 299 P2d 452, 143 CA2d 453 corrected  
 24 306 P2d 924, 148 CA2d 490 defendant convicted and held  
 25 Liabale for damage of a demurrer right to file suite. People  
 26 vs Mosley (1956) 299 f2d 745, 142 A2A 931

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1 Brown, Hilton Lawrence do solemnly affirm the motion for  
2 Discovery is true and correct. To the best of my own knowledge  
3 under a penalty of perjury-

4

5

6

7

8

9 Brown, Hilton Lawrence

10 No# B51265 (s)

11 5905 Lake Earl Drive

12 Post Office Box 7000

13 Crescent City California 95532

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Hilton Lawrence Brown  
355 Business Law

15<sup>th</sup> Friday of August 2008

# PELICAN BAY G.P. UNIT A-3

## **AFFIDAVIT FOR WAIVER OF GOVERNMENT CLAIMS FILING FEE AND FINANCIAL INFORMATION FORM**

*(Request for Permission to Proceed In Forma Pauperis)*

**California Victim Compensation and Government Claims Board**

**P.O. Box 3035**

**Sacramento, CA 95812-3035**

**1-800-955-0045 • www.governmentclaims.ca.gov**

State of California

For Office Use Only

Claim No.:

*I request a fee waiver so that I do not have to pay the \$25 fee to file a government claim with the Victim Compensation and Government Claims Board. I cannot pay any part of the fee.*

### **Claimant Information**

**1** Brown Hilton Lawrence **2** Tel: --  
Last name First Name MI

**3** Claim Number (if known): 08-3324 and 08-3323

### **Employment Information**

**4** My occupation: None  
My employer: /

Employer's Mailing Address City State Zip

My spouse's or partner's employer: Dissolution of Marriage

Employer's Mailing Address City State Zip

**5** If you are an inmate in a correctional facility, please attach a certified copy of your trust account balance, enter your inmate identification number below and skip to step **23**.

Inmate Identification Number: B51265 (5)

### **Financial Information**

**6** I am receiving financial assistance from one or more of the following programs. ☐ Yes ☐ No

If no, proceed to step **7**. If yes, check all that apply, then skip to step **24**.

☐ SSI and SSP: Supplemental Security Income and State Supplemental Payments Programs

☐ CalWORKS: California Work Opportunity and Responsibility to Kids Act

☐ Food Stamps

☐ County Relief, General Relief (GR), or General Assistance (GA)

**7** Number in my household and my gross monthly household income, if it is the following amount or less:

	Number	Monthly family income
<b>A</b>	<input checked="" type="checkbox"/> 1	\$969.79
<b>B</b>	<input type="checkbox"/> 2	\$1,301.04
<b>C</b>	<input type="checkbox"/> 3	\$1,632.29
<b>D</b>	<input type="checkbox"/> 4	\$1,963.54
<b>E</b>	<input type="checkbox"/> 5	\$2,294.79

	Number	Monthly family income
<b>F</b>	<input type="checkbox"/> 6	\$2,626.04
<b>G</b>	<input type="checkbox"/> 7	\$2,957.29
<b>H</b>	<input type="checkbox"/> 8	\$3,288.54

**I** ☐ There are more than 8 people in my family  
Add \$331.25 for each additional person.

Number:  Total Income:

If you checked a box in step **7** A through I, complete steps **9** through **15**. Then skip to step **24**.

**8** My income is not enough to pay for the common necessities of life for me and the people in my family, and also pay the filing fee. ☒ Yes ☐ No

If yes, fill in steps **9** through **24**.



# **PELICAN BAY** **G.P. UNIT A-3**

## **Monthly Income and Expenses**

<b>9</b>	My gross monthly pay is: \$ <u>zero</u>	<b>10</b>	My income changes each month: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																																																											
<b>11</b>	Number of persons living in my home: <u>0.0</u>	<b>12</b>	Other money I get each month																																																											
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				\$ <u>zero</u>																																																										
<b>23</b>	I have attached other information that supports this application on a separate sheet. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																																																													

## **Signature Section**

<b>24</b>	I declare under penalty of perjury under the laws of the state of California that the information on this form and all the attachments is true and correct.		
	<u>Brown Hilton Lawrence Brown</u> Signature of Claimant		<u>8-15-08</u> Date



STATE OF CALIFORNIA  
ARNOLD SCHWARZENEGGER, Governor

**GOVERNMENT CLAIMS PROGRAM**

400 R Street, 5<sup>th</sup> Floor ♦ Sacramento, California 95811  
Mailing Address: P.O. Box 3035 ♦ Sacramento, California 95812  
Toll Free Telephone Number 1-800-955-0045 ♦ Fax Number: (916) 491-6443  
Internet: [www.vcgcb.ca.gov](http://www.vcgcb.ca.gov)

ROSARIO MARIN

Secretary  
State and Consumer Services Agency  
Chairperson

JOHN CHIANG  
State Controller  
Board Member

MICHAEL A. RAMOS  
San Bernardino County District Attorney  
Board Member

JULIE NAUMAN  
Executive Officer

Hilton Lawrence Brown B51265  
PO Box 7500  
Crescent City, CA 95532-7500

July 22, 2008

RE: Claim G576544 for Hilton Lawrence Brown, B51265

Dear Hilton Brown,

Board staff reviewed the claim information and determined it is incomplete.

Please provide the following information:

Any claim relating to wrongful death, personal injury, personal property damage, or growing crops must be presented within six months of the date of action, which resulted in the claim.

Since your claim was presented to the Board more than six months from the date of incident, it will be returned for not being presented within six months after the event or occurrence as required by law. See Sections 901 and 911.2 of the Government Code. If the claim is not presented within the time allowed by law, no action will be taken.

Your only recourse at this time is to apply without delay to the Victim Compensation and Government Claims Board for leave to present a late claim. See Sections 911.4 to 912.2, inclusive, and Section 946.6 of the Government Code. Under some circumstances, leave to present a late claim will be granted. See Section 911.6 of the Government Code.

In order to complete the processing of your claim, please provide a certified copy of your Trust Fund Account as requested on line five of the Waiver request form.

**IMPORTANT NOTICE:**

In order for tort claims to be considered complete, the above referenced questions must be answered in writing within six months of the original date of incident (see Government Code Section 901 and 911.2). If you respond later than six months, but prior to one year from the original date of incident, you must apply without delay for leave to present a late claim (Government Code Sections 911.2 through 911.4, inclusive, 946.6). The Board has no jurisdiction over tort claims presented more than one year from the original date of incident.

Please return your written response and a copy of this notice to the VCGCB and indicate claim number G576544 on all correspondence. We must receive a written response to this notice before we can process your claim further.

If you have questions about this matter, please mention letter reference 98 and claim number G576544 when you call or write your claim technician/analyst at (800) 955-0045.

# PELICAN BAY STATE PRISON LEGAL MATERIAL REQUEST

NAME Brown, H.L. CDC NO: B51265 (S) CELL: A3-108 DATE: 8-3-08

If you do not require physical access to the law library but need copies of legal work, supplies, legal forms, case law, or information, submit this form through the institutional mail. When requesting case law along with legal supplies, forms, or copies, submit two trust withdrawals. Case law is on a loan basis only (limit 30 pages, or three cites) and cannot be purchased. All case law must be returned before another request is accepted.

**\*\*THE LAW BOOKS WILL NOT BE SENT TO CELLS\*\***

WRITE THE FORM NAME AND NUMBER (REVERSE SIDE) OR CASE NAME AND CITE CLEARLY

1. Photostat 4 page 4 copy(ies): Total 16 6. Quel document  
 2. Proof of Service G-10 (3 copies) 7. Criteria  
 3. Twenty sheets of blank paper 8. \_\_\_\_\_  
 4. 3 Three manila envelope 10-13 9. \_\_\_\_\_  
 5. \_\_\_\_\_ 10. \_\_\_\_\_

DATE RECEIVED AUG 07 REC'D BY A YARD LAW LIBRARY DATE RETURNED TO INMATE \_\_\_\_\_

STATE OF CALIFORNIA  
CDC - 193 (1/88)

DEPARTMENT OF CORRECTIONS

## TRUST ACCOUNT WITHDRAWAL ORDER

Date 3rd of August 08

To: Warden

Approved \_\_\_\_\_

I hereby request that my Trust Account be charged \$ \_\_\_\_\_ for the purpose stated below and authorize the withdrawal of that sum from my account:

B51265 (S)  
NUMBER

H. L. Brown  
NAME (Signature please, DO NOT PRINT)

State below the PURPOSE for which withdrawal is requested (do not use this form for Canteen or Hobby purchase).

PRINT PLAINLY BELOW name and address of person to whom check is to be mailed.

PURPOSE Photostat

NAME State Board of Control and

4 Page 4 copy(ies): 16 Total

ADDRESS United States District Court

3 Proof of Service G-10

20 Twenty Sheets of paper blank

3 Three manila envelope (10-13)

A3-108

Brown, H.L.  
PRINT YOUR FULL NAME HERE

1

2

3

4

5

6

7

8

9

State Board of Control  
Tort Claim Coordinator  
400 R Street, 5th floor  
Post office Box 3035  
Sacramento, California 95812

10 Hilton Lawrence Brown

11 No# B51265 CS

12 5905 Lake Earl Drive

13 Crescent City California 95532

14 Appellant and Plaintiff

15 versus

16 Governor: Arnold Schwarzenegger  
1 first Street, Capitol Mall

17 Sacramento, California 95814

18 additional  
19 Pelican Bay State Institution

20 Warden: Robert A. Hovel

21 5905 Lake Earl Drive

22 Crescent City California 95531

23 additional  
24 Medical Board of California

25 Central Complaint Unit

26 2005 Evergreen Street, Suite 1200

27 Sacramento, California 95815

28 additional  
29 Department of the Army

30 Fort Ord Stockade

31 7th Infantry Division Light

32 Fort Ord, California 93941

Real Parties of Interest

Stay: Late Claim: G576544

Case # 08CV 3323

Case # 08CV 3324



1 Cohen vs Beneficial Industrial Loan Corporation, known as the  
 2 collateral order doctrine. a) conclusively determines the disputed  
 3 issue b) is completely separate from the issue of defendant guilt  
 4 or innocence c) effectively is unreviewable on appeal for a  
 5 final Judgment. Timely manner pursuant to Federal Rule of  
 6 Appellate Procedure rule 4 (b)

7 Service in accordance with 4 Am J2d A & E sections  
 8 316 et seq binding through a Late Claim filing pursuant to  
 9 California Government Code sections (s) 901, 911.2, 911.4, 912.4 and  
 10 946.6

11

12

13

14 Brown, Hilton Lawrence do solemnly affirm the affidavit  
 15 for Late Claim and Brief for Objections is true and correct to  
 16 the best of my own knowledge under a penalty of perjury.

17

18

19

20

21 Brown, Hilton Lawrence

22 NO# B51265 (s)

23 5905 Lake Earl Drive

24 Post Office Box 7000

25 Crescent City California 95532

26

27

28

Hilton Lawrence Brown  
 Brown, Hilton Lawrence  
 355 Business Law

15<sup>th</sup> Friday of August 2008

**INMATE/PAROLEE  
APPEAL FORM**

CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category

1. \_\_\_\_\_

1. \_\_\_\_\_

2. \_\_\_\_\_

2. \_\_\_\_\_

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
Brown, H.L.	B51265 (S)	None	A3708

A. Describe Problem: on this 13<sup>th</sup> Wednesday of August 2008, Brown, H.L. was remove from the transfer list. By Committee or Classification approved Housing in B facility. on the 16<sup>th</sup> Wednesday of January 2008, Brown, H.L. was thrown to the ground by another inmate while at work in the Main Kitchen. The reason for the attack was Brown, H.L. made a statement. (That inmates from Oakland California had made the weapons for the Mexicans in 2000). Oakland helped the Mexicans during the riot in B facility on 23<sup>rd</sup> Wednesday of February 2000. Reason for a transfer was enemy list on both A yard and B yard includes being stabbed and a dislocated broke small finger as (Evidence need medical Records)!

If you need more space, attach one additional sheet.

B. Action Requested: Because of both Prison Guards and Inmates being allowed to attack the inmate without any legal action being taken. Data factor Brown H.L. was stabbed during the riot 2-23-00 on B facility yard. And attack in the Main Kitchen and received a dislocated broke finger on 1-16-08 due to enemy. Request for a Transfer.

Inmate/Parolee Signature: H.L. Brown Date Submitted: 8-13-08

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_)

Staff Response: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date Returned to Inmate: \_\_\_\_\_

**D. FORMAL LEVEL**

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by a completed

CDC Appeal Number:

Board of Control form BC-1E, Inmate Claim



United States District Court  
Northern District of California  
450 Golden Gate Avenue  
San Francisco, California 94102

Jurisdictional Statement

Case# 07-9687 Supreme Court U.S.

Debt: G199804003245101

U.S. T. C. case# 15701-07

Hilton Lawrence Brown

NO# B51265 CS

5905 Lake Earl Drive

Crescent City California 95532

Appellant and Plaintiff

versus

President of the United States

650 Pennsylvania Avenue

Washington, D.C. 20543

additional  
Solicitor General of the United States

Paul D. Clement

950 Pennsylvania Avenue

Washington, D.C. 20530

additional  
Pelican Bay State Institution

Warden: Robert A. Horel

5905 Lake Earl Drive

Crescent City California 95531

Real Parties of Interest



1 To invoke Original authority as Jurisdiction under Article  
 2 III of the Constitution of the United States Title 28 U.S.C.  
 3 Section 1251 and Administrative Law Section 11 of the United  
 4 States Constitution to include supervisory of rehearing the  
 5 Controversy pursuant to Title 28 U.S.C. Section 1254 (2) ~~for~~  
 6 Justify extraordinary release 28 U.S.C. Section 1651(a)  
 7 for the stay of certiorari 28 U.S.C. Section 2101 (f) together  
 8 with service on the state Attorney General and the state  
 9 Governor. The fact that the constitutionality of an act  
 10 of Congress has been serve on the Grand Jury pursuant  
 11 to 28 U.S.C. Section 2403 (a) and (b), 2 Am 52d Administrative  
 12 Law section 692

13 Proof of service by mail California Code of Civil Procedure  
 14 Section 101 (a) sections 2015 thru 5 when the United States  
 15 Marshall is not available under 28 U.S.C. Section 1746  
 16 Verification of Document was completed by deposit into  
 17 the United States Postal Service address to counsel of  
 18 record for respondent

19 United States Marshall  
 20 Process of Service  
 21 1100 East Main Street  
 22 Richmond Virginia 23219

Supreme Court of the United States  
 Heather Trout: Clerk  
 1 First Street, N.W.  
 Washington, D.C. 20543

23

24

25 Brown, Hilton Lawrence do solemnly affirm proof of  
 26 Service is true and correct to the best of my own  
 27 Knowledge under a penalty of perjury.

28

Executed this 3<sup>rd</sup> Tuesday of June 2008

Hilton Lawrence Brown  
 Brown, Hilton Lawrence  
 355 Business Law



Case Number: \_\_\_\_\_

**CERTIFICATION OF FUNDS**  
**IN**  
**PRISONER'S ACCOUNT**

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Hilton Brown B51265 for the last six months at Pelican Bay State Prison where he is confined.

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$10.48 and the average balance in the prisoner's account each month for the most recent 6-month period was \$10.50. (20%= \$2.10)

Dated: 7/30/08

L. Clark  
Authorized officer of the institution



THE WITHIN INSTRUMENT IS A CORRECT  
COPY OF THE TRUST ACCOUNT MAINTAINED  
BY THIS OFFICE.  
ATTEST: 7-30-08  
CALIFORNIA DEPARTMENT OF CORRECTIONS  
BY J. Kleppin  
TRUST OFFICE

CALIFORNIA DEPARTMENT OF CORRECTIONS  
 PELICAN BAY STATE PRISON  
 INMATE TRUST ACCOUNTING SYSTEM  
 INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JAN. 01, 2008 THRU JUL. 30, 2008

ACCOUNT NUMBER : B51265  
 ACCOUNT NAME : BROWN, HILTON  
 PRIVILEGE GROUP: D

BED/CELL NUMBER: AF03L 000000108L  
 ACCOUNT TYPE: I

TRUST ACCOUNT ACTIVITY

DATE	TRAN CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
01/01/2008		BEGINNING BALANCE					0.02
01/08	D554	INMATE PAYROL	2856 12/07		38.10		38.12
01/08	W216	FED. FILING F	2864 01/08			7.62	30.50
01/08	W216	FED. FILING F	2864 01/08			7.62	22.88
01/08	W216	FED. FILING F	2864 01/08			7.62	15.26
01/08	W216	FED. FILING F	2864 01/08			7.62	7.64
01/08	W216	FED. FILING F	2864 01/08			7.62	0.02
02/06	D554	INMATE PAYROL	3417 01/08		24.75		24.77
02/06	W216	FED. FILING F	3438 02/06			4.95	19.82
02/06	W216	FED. FILING F	3438 02/06			4.95	14.87
02/06	W216	FED. FILING F	3438 02/06			4.95	9.92
02/06	W216	FED. FILING F	3438 02/06			4.95	4.97
02/06	W216	FED. FILING F	3438 02/06			4.95	0.02

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.02	62.85	62.85	0.02	0.00	0.00



THE WITHIN INSTRUMENT IS A CORRECT  
 COPY OF THE TRUST ACCOUNT MAINTAINED  
 BY THIS OFFICE.  
 ATTEST: 7-30-08  
 CALIFORNIA DEPARTMENT OF CORRECTIONS  
 BY J. K. Koppin  
 TRUST OFFICE

CURRENT  
 AVAILABLE  
 BALANCE

0.02